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NO. 020

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SEP 03 2004

MOBIL DOCKET NO. 10213

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Application of : D. J. Baillargeon et al
 Serial No. : 09/498,793
 Filed : 4 February 2000
 For : Formulated Lubricant Oils Containing High-Performance Base Oils
 Derived From Highly Paraffinic Hydrocarbons
 Group Art Unit : 1764
 Examiner : E. M. McAvoy

Petition under 37 CFR 1.137 (b) to Revive Unintentionally Abandoned Application

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

RECEIVED
 SEP 08 2004
 TC 1700

This application became abandoned on 30 August 2004 by failure to take appeal action from the decision of the Board of Patent Appeals and Interferences dated 30 June 2004 (Appeal No. 2003-1848, Paper No. 23) or other appropriate action. The failure to respond within the statutory period was unintentional and this petition requests revival of the abandoned application under 37 CFR 1.137(b).

A response to the official action is attached in the form of a Request for Continued Examination. Payment of the petition fee of \$1330.00 is requested in the attached transmittal letter.

The failure to respond to the office action is believed to have arisen in the manner set out in the accompanying declaration of the undersigned attorney.

In the light of the facts set out in the accompanying declaration in support of this petition, it is submitted that the failure to file a timely response to Paper No. 23 was inadvertent. The entire delay in filing the response from the due date for reply to the date of filing this petition was unintentional.

Post Office Address:
 ExxonMobil Research and Engineering Company
 P. O. Box 900
 Annandale, NJ 08801-0900

Respectfully submitted,

Malcolm D. Keen
 Malcolm D. Keen
 Reg. No. 27,728
 Attorney for Applicants
 (703) 846-7795

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 BOARD OF PATENT APPEALS
 AND INTERFERENCES

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PAGE 342 * RCVD AT 9/3/2004 11:25:04 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-20 * DNS:7464060 * CSID:703 846 7799 * DURATION 00m-ss:10.42

09/03/2004 09:03:00 OI 10213 00000002 051330 09499783
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PTO/SB/17 (10-04v2)

Approved for use through 07/31/2008. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004, Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)

Complete if Known

Application Number 09/498,793
Filing Date February 4, 2000
First Named Inventor David J. Ballargeon
Examiner Name E. M. McAvoy
Art Unit 1764
Attorney Docket No. 10213 [P2000J038]

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit
Account
Number
Deposit
Account
Name

05-1330

ExxonMobil Research and
Engineering Company

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 790	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 350	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	
Multiple Dependent	-3** =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 88	2201 44	Independent claims in excess of 3	
1203 300	2203 150	Multiple dependent claim, if not paid	
1204 88	2204 44	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$)

**or number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity - Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130	Non-English specification	
1812 2,520	2812 2,520	For filing a request for ex parte reexamination	
1804 920*	2804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	2805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 65	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	
1253 680	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 160	Request for oral hearing	
1451 1,510	2451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	1,330.00
1453 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 490	2502 245	Design issue fee	
1503 680	2503 330	Plant issue fee	
1460 130	2460 130	Petitions to the Commissioner	
1807 50	2807 50	Processing fee under 37 CFR 1.17(g)	
1808 180	2808 180	Submission of Information Disclosure Sheet	
8021 40	28021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	770.00
1802 800	2802 800	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

2,100.00

SUBMITTED BY

Name (print/type) Jack B Murray

Registration No. 28,776

(Complete if applicable)

Telephone

Signature

Jack B Murray

Date

June 6, 2005

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

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UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND											
1 Date of Request: _____		2 Serial/Patent # _____									
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT							
	Filing			\$							
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	Extension of Time			\$							
	Notice of Appeal/Appeal			\$							
<input checked="" type="checkbox"/>	Petition		6-6-05	\$ 1,500							
	Issue			\$							
	Cert of Correction/Terminal Disc.			\$							
	Maintenance			\$							
	Assignment			\$							
<input checked="" type="checkbox"/>	Other <u>RCE</u>		6-6-05	\$ 790							
		7 TOTAL AMOUNT OF REFUND		\$ 2,290							
10 REASON:		8 TO BE REFUNDED BY:									
		Treasury Check									
<input checked="" type="checkbox"/>	Overpayment	<input checked="" type="checkbox"/>	Credit Deposit A/C #:								
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0	5	--	1	3	3	0					
	No Fee Due (Explanation):										
11 REFUND REQUESTED BY:											
TYPED/PRINTED NAME: <u>Retta Williams</u>		TITLE: <u>Paralegal</u>									
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